

STATE OF INDIANA) IN THE HENDRICKS COUNTY CIRCUIT COURT
) SS:
COUNTY OF HENDRICKS) AVC NO. 07-033

IN RE: ANDY MOHR FORD LINCOLN
MERCURY, INC.

Respondent.

) MISCELLANEOUS
) DOCKET NO. 3204-0709-MIN

2007 SEP 11 AM 8:35
FILED

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmuller, and the Respondent, Andy Mohr Ford Lincoln Mercury, Inc., enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law and upon consent of the parties.

The parties agree:

1. Respondent is an Indiana corporation engaged in the sale of new and used motor vehicles, with a principal place of business located at 2713 East Main Street, Plainfield, Indiana, and at all relevant times transacted business with Indiana consumers.
2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives, successors, and assigns.
3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

4. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation that it can deliver title within a stated time frame when Respondent knows or should reasonably know it cannot.

5. Respondent will immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

- a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondent;
- b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;
- c. if the conditions under Ind. Code §9-17-3-3(a)(4)(A-E) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

6. Respondent will immediately comply with all provisions of Ind. Code §9-18-26-10 and 140 IAC 3.5-2-15, including but not limited to, issuing no more than one interim license plate to a motor vehicle purchaser.

7. Upon execution of this Assurance, Respondent shall pay three hundred dollars (\$300.00) to the Office of the Attorney General for its costs of investigation.

8. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

9. Respondent shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

405125

10. The Office of the Attorney General shall file this Assurance with the Circuit Court of Hendricks County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 27 day of August, 2007.

STATE OF INDIANA

STEVE CARTER
Attorney General of Indiana

By: Mary Ann Wehmüller
Mary Ann Wehmüller
Deputy Attorney General
Atty. No. 15251-49A
Office of Attorney General
402 W. Washington, 5th Floor
Indianapolis, Indiana 46204
Telephone: (317) 233-3973
Maw: 405125

RESPONDENT

Andy Mohr Ford Lincoln
Mercury, Inc.

Andy Mohr
Name

Andy Mohr
Printed Name

COO
Title

APPROVED this 4th day of Sept., 2007.

Mark A. Smith
Judge, Hendricks County Circuit Court 4
Superior

405125

000000